

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DAVID BURNETT AND DAVID NELSON
as representatives of a class of similarly
situated persons and on behalf of the
WESTERN GLOBAL AIRLINES, INC.
EMPLOYEE STOCK OWNERSHIP
PLAN,

Plaintiffs,

v.

PRUDENT FIDUCIARY SERVICES, LLC,
MIGUEL PAREDES, JAMES K. NEFF,
CARMIT P. NEFF, JAMES K. NEFF
REVOCABLE TRUST DATED 11/15/12,
CARMIT P. NEFF REVOCABLE TRUST
DATED 11/15/12, KELLY S. NEFF TRUST
DATED 1/1/10, DANIELLE J. NEFF
TRUST DATED 1/1/10 and WGA TRUST
DATED 8/16/13,

Defendants.

C.A. No. 1:22-cv-00270-RGA/JLH

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENTS**

Plaintiffs David Burnett and David Nelson, individually and as proposed class representatives and on behalf of the Western Global Airlines, Inc. Employee Stock Ownership Plan, hereby move for orders substantially in the forms attached hereto as Exhibits 1 and 2, conditionally certifying a class for settlement purposes only, preliminarily approving a class action settlement agreement among Plaintiffs and Defendants James K. Neff, Carmit P. Neff, James K. Neff Revocable Trust Dated 11/15/12, Carmit P. Neff Revocable Trust, Dated 11/15/12, Kelly S. Neff Trust Dated 1/1/10, Danielle J. Neff Trust Dated 1/1/10, and WGA Trust Dated 8/16/13 (collectively, the "Shareholder Defendants") (Ex. 1 hereto), preliminarily approving a separate

class action settlement agreement among Plaintiffs and Defendants Prudent Fiduciary Services, LLC, and Miguel Paredes (the “Trustee Defendants”) (Ex. 2 hereto), approving notice of the settlements to the class, and setting a date for a Fairness Hearing. Plaintiffs have conferred with counsel for the Shareholder Defendants, who do not oppose the Motion. Plaintiffs have also conferred with counsel for the Trustee Defendants, who also do not oppose the Motion.

This Motion is made based on the accompanying Memorandum of Law, the Settlement Agreements, the Declarations of Brock J. Specht, Peter K. Stris, Michelle C. Yau, and Carmella P. Keener, the accompanying exhibits, and all other documents, pleadings, argument, and materials presented to the Court.

Dated: September 20, 2024

Respectfully submitted,

By: /s/ Carmella P. Keener
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